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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RYAN MOSKOWITZ,

Defendant.

Case No. 2:14-CR-00265-JCM-VCF

**STIPULATION TO
CONTINUE SENTENCING**

(Eighth Request)

IT IS HEREBY STIPULATED AND AGREED, by and between DANIEL G. BOGDEN, United States Attorney, and ELHAM ROOHANI, Assistant United States Attorney, counsel for the United States of America, and MICHAEL R. PANDULLO, ESQ., counsel for Defendant RYAN MOSKOWITZ, that the sentencing scheduled for September 27, 2016 at the hour of 10:30 a.m., be vacated and reset to a date and time convenient to this Court, but in no event any sooner than forty-five (45) days.

This Stipulation is entered into for the following reasons:

1. Assistant United States Attorney Elham Roohani is still waiting to hear back from the 5K committee and consequently needs additional time to prepare the 5K motion.
2. Assistant United States Attorney Elham Roohani has another hearing scheduled at the same time for a case that is going to trial.

3. Counsel just received the revised Presentence Investigation Report for this matter and needs additional time to review it.
4. Defendant is in custody and does not object to this continuance.
5. Counsel has spoken to Assistant United States Attorney Elham Roohani and she has no opposition to the continuance.
6. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for Defendant sufficient time within which to effectively and thoroughly prepare for the sentencing hearing.
7. Additionally, denial of this request could result in a miscarriage of justice.
8. This is the eighth request to continue this sentencing hearing.

DATED this 23rd day of September, 2016.

MICHAEL R. PANDULLO, ESQ.
ATTORNEY FOR DEFENDANT

/s/ Michael R. Pandullo

MICHAEL R. PANDULLO, ESQ.
Attorney for Defendant Ryan Moskowitz

DANIEL G. BOGDEN, ESQ.
UNITED STATES ATTORNEY

ELHAM ROOHANI, ESQ.
ASSISTANT UNITED STATES ATTORNEY

/s/ Elham Roohani

ELHAM ROOHANI, ESQ.
Attorney for the United States

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**FINDINGS OF FACTS,
CONCLUSIONS OF LAW
AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

This Stipulation is entered into for the following reasons:

1. Assistant United States Attorney Elham Roohani is still waiting to hear back from the 5K committee and consequently needs additional time to prepare the 5K motion.
2. Assistant United States Attorney Elham Roohani has another hearing scheduled at the same time for a case that is going to trial.
3. Counsel just received the revised Presentence Investigation Report for this matter and needs additional time to review it.
4. Defendant is in custody and does not object to this continuance.

1 5. Counsel has spoken to Assistant United States Attorney Elham Roohani and she
2 has no opposition to the continuance.

3 6. The additional time requested herein is not sought for purposes of delay, but
4 merely to allow counsel for Defendant sufficient time within which to effectively
5 and thoroughly prepare for the sentencing hearing.

6 7. Additionally, denial of this request could result in a miscarriage of justice.

7 8. This is the eighth request to continue this sentencing hearing.

8 **CONCLUSIONS OF LAW**

9 The ends of justice served by granting said continuance outweigh the best interest of the
10 public and the defendant in a speedy trial, since the failure to grant said continuance would be
11 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
12 opportunity within which to be able to effectively and thoroughly prepare for trial taking into
13 account the exercise of due diligence.

14 The additional time requested by this Stipulation is excludable in computing the time
15 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
16 States Code Sections 3161(h)(1)(A), 361(h)(7) and Title 18, United States Code, Sections
17 3161(h)(8)(B) and 3161(h)(8)(B)(iv).

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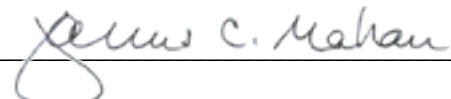
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ORDER

IT IS HEREBY ORDERED that sentencing currently scheduled for September 27, 2016, at the hour of 10:30 a.m., be vacated and continued to the **15th day of November, 2016 at 10:00 a.m., in Courtroom 6A.**

DATED September 26, 2016.


UNITED STATES DISTRICT JUDGE

Submitted by:

/s/ Michael R. Pandullo

MICHAEL R. PANDULLO, ESQ.
Attorney for Defendant Ryan Moskowitz